IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

ORDER
IN
S.B. Civil Review Application No.30/2006
In
S.B. Civil Second Appeal No.163/2006

Smt. Parwati W/o Shri Ghisi Lal Ji
Versus
Thakur Raghunath Singh S/o Shri Karnal Kesari Singh

Date of Order ::: 13.10.2006

Present
Hon'ble Mr. Justice Narendra Kumar Jain

Shri Keshav Agrawal, Counsel for appellant-applicant
Shri B.D. Agarwal, Counsel for respondent
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By the Court:

Learned counsel for the appellant-applicant, on the instructions of Smt. Parwati, the appellant-applicant, who is present in the court, does not press this review application on merits and prays that some reasonable time may be granted to the appellant-applicant to handover peaceful and vacant possession of the rented premises to the respondent. Learned counsel for the respondent does not object the prayer for grant of time upto 31st of December, 2007, to the appellant-applicant to handover peaceful and vacant possession of the rented premises.

Both the parties have agreed to the following terms and conditions:-

1. The appellant-applicant undertakes to hand-over the vacant and peaceful possession of the rented premises, in dispute, to the respondent on or before 31st of December, 2007. The respondent shall not execute the impugned decree till 31st of December, 2007.

2. The appellant-applicant undertakes to pay or deposit the entire arrears of mesne profit/rent, if any, within a period of one month from today and will further continue to pay the monthly mesne profit/rent by 15th day of each succeeding month or in advance to the respondent.

3. The appellant-applicant further undertakes that she shall not sub-let, assign or part with the possession of the rented premises or any part thereof in favour of any one else and would not create any third party interest in the same during the aforesaid period.

4. The appellant-applicant shall furnish a written undertaking incorporating the aforesaid conditions, in the Lower Court within a period of four weeks from today.

5. The respondent shall furnish his bank account to the appellant-applicant or her counsel within a period of two

> weeks from today. In case, the details of the bank account are furnished by the respondent then the appellant-applicant is directed to deposit the amount of all arrears as well as future mesne profits in the said bank account of the respondent. In case the details of the bank account are not furnished by the respondent then it will be open for the appellant-applicant to deposit the amount, as directed above, in the lower court itself.

It is made clear that in case the appellant-applicant does not comply with any of the aforesaid conditions, then it will be open for the respondent to get the decree passed in his favour executed even before the aforesaid date and to initiate contempt proceedings in this court.

With the aforesaid terms, conditions and directions, the review application is accordingly dismissed as not pressed.

(Narendra Kumar Jain) J.

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